

THE COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, a public body politic and corporate, duly organized and existing pursuant to the provisions of the Housing Authority Law of The Commonwealth of Massachusetts (appearing in Massachusetts General Laws (Ter. Ed.) Chapter 121, as amended) and having its principal office in Boston, Suffolk County, Massachusetts, in pursuance of its powers as set out in said Housing Authority Law and every other power thereunto enabling, determined that the Government Center Project Area in the City of Boston constitutes a decadent area as defined in section 26J of the Housing Authority Law, and has caused a notice of such determination to be published in the City Record of the City of Boston and thirty (30) days have expired since such publication; and

WHEREAS, the Boston Redevelopment Authority is preparing a Land Assembly and Redevelopment Plan or an Urban Renewal Plan for the said area; and

WHEREAS, the City of Boston acting by the Mayor with the authorization of the City Council has consented to a taking by eminent domain and the State Housing Board has also consented to such a taking and have made appropriate findings in connection therewith, or in accordance with the provisions of law; and

WHEREAS, on June 9, 1961, the City of Boston has covenanted with the Boston Redevelopment Authority as follows:

"that, if said Authority at one time or from time to time acquires (by taking or otherwise), or so acquires and clears, land constituting the whole or a part or parts of the so-called Government Center Redevelopment Project Area, which area, after the notice and public hearing required by law, said authority has determined to be a decadent area and for which Area said Authority is preparing a land assembly and redevelopment or urban renewal plan, said City shall bear any and all loss that may arise as a result of such acquisition or such acquisition and clearance in the event that the land so acquired or so acquired and cleared is not used for land assembly and redevelopment or urban renewal purposes because a land assembly and redevelopment or urban renewal plan for the project is not approved, or is amended to omit such land, or is abandoned for any reason. Consent is hereby given to the assignment by the Boston Redevelopment Authority of any or all of its rights hereunder to the United States of America"; and

WHEREAS, public hearings on said acquisition of land in the Government Center Project have been held, after due notice, including public hearings by the said Redevelopment Authority; and

WHEREAS, said Redevelopment Authority, with the written approval of the Mayor of the City of Boston and the State Housing Board, has entered into a Temporary Loan Contract for Early Land Acquisition, dated October 3, 1961, with the Housing and Home Finance Agency under Title I of the Housing Act of 1949, as amended, providing for Federal financial assistance in connection with the carrying out of said land acquisition; and

WHEREAS, the Redevelopment Authority has determined that the taking in fee simple by eminent domain of a portion of said area, as hereinafter described, is necessary and reasonably required to carry

out the purposes of the Housing Authority Law and the proposed Government Center Project; and

WHEREAS, the Redevelopment Authority in accordance with the provisions of section 26P, sub-paragraph (b), of said Housing Authority Law has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws (Ter. Ed.) Chapter 79, section 40; and

WHEREAS, the Government Center Project Area is described in Annex "A" of an Order of Taking, dated October 25, 1961, and recorded in Suffolk County Registry of Deeds Book 7600, page 3, and is shown on a plan recorded therewith.

NOW, THEREFORE, ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and without limiting the generality of the foregoing, of section 26P, of General Laws (Ter. Ed.) Chapter 121 and all other authority thereunto enabling and pursuant to the applicable provisions of General Laws (Ter. Ed.) Chapter 79, and of any and every power and authority to it, granted or implied hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth, the area located in the City of Boston as hereinafter described, together with any and all easements and rights appurtenant thereto, including the trees, buildings, and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways contiguous and adjacent to the property taken hereby, except any and all easements of travel in and to any and all public streets, highways and public ways contiguous and adjacent thereto.

The area hereby taken is Parcel 1 of Block 124A of the Government Center Project and is shown on Plan No. 1 of a plan dated August 23, 1961, drawn by Henry F. Bryant & Son, Inc., Engineers, Brookline, Mass., which plan is recorded in Suffolk County Registry of Deeds Book 7600, page 3. Reference may be had to said plan for a more particular description of the area hereby taken which is further identified as 26-28 Norman Street.

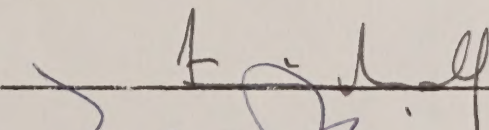
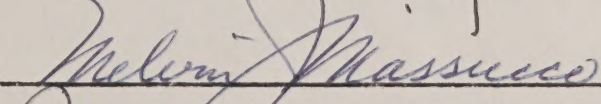
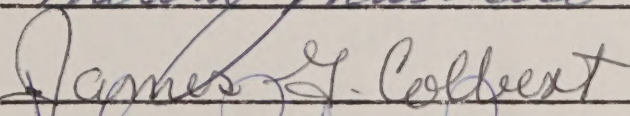
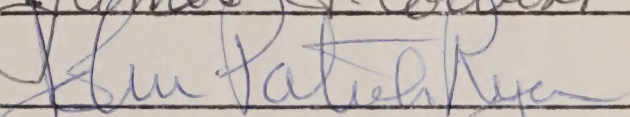
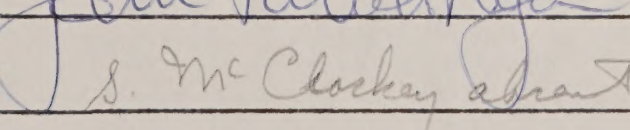
AND FURTHER ORDERED that the BOSTON REDEVELOPMENT AUTHORITY hereby awards the sum of One Hundred Eighty-Thousand Dollars (\$180,000.00) as the total amount of damages sustained by the City of Boston by reason of the taking the reby made.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

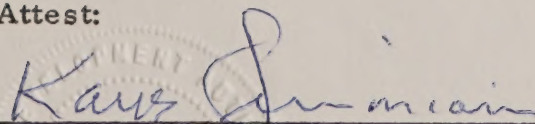
IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

Dated: March 16, 1964

BOSTON REDEVELOPMENT AUTHORITY
By:

Attest:


Secretary of the Boston Redevelopment Authority

